

HONDURAS

Constitution of Honduras

Chapter I. Declarations

Article 61

The Constitution guarantees to all Hondurans and to foreigners residing in the country the right to the inviolability of life, and to individual safety, freedom, equality before the law, and property.

Chapter II. Individual Rights

Article 65

The right to life is inviolable.

Article 66

The death penalty is abolished.

Article 67

The unborn shall be considered as born for all rights accorded within the limits established by law.

Criminal Code

Article 123. The mother who, to hide her shame, kills the child who has not completed three (3) days of age, shall be punished with six (6) to nine (9) years' imprisonment.

Article 126. Abortion is the death of a human being at any time during pregnancy or childbirth. Whoever intentionally causes an abortion shall be punished:

- 1) three (3) to six (6) years of imprisonment if the woman had consented;
- 2) six (6) to eight (8) years of imprisonment if the agent acts without the consent of the mother and without using violence or intimidation; and,
- 3) eight (8) to ten (10) years of imprisonment if the agent uses violence, intimidation or deception.

Article 127. Penalties prescribed in the preceding Article shall be imposed and a fine of fifteen thousand (L. 15,000.00) to thirty thousand Lempiras (L. 30,000.00) upon the doctor who, abusing their profession, causes or cooperates in abortion.

The same penalties apply to medical practitioners, paramedics, nurses, midwives or midwives who commit or participate in the commission of abortion.

Article 128. The woman who produces her own abortion or consents to another person to cause it, shall be punished with imprisonment of three (3) to six (6)

years.

Article 132. Whoever by violence brings the abortion without the intention of causing damage, but causing the loss of the pregnancy of the victim, shall be punished with imprisonment of four (4) to six (6) years.

Article 139. Whoever abandons a child under twelve (12) years, or a person incapable of sustaining themselves, by mental or physical illness or old age, which are being under his care or custody, shall be punished with one (1) to three (3) years' imprisonment.

If as a result of abandonment, the person abandoned dies, or there is any serious danger to the life thereof, or shall have been also caused injury or serious illness, the penalty shall be three (3) to six (6) years imprisonment if the act does not constitute a more serious crime.

Código Penal.

Artículo 126. El aborto es la muerte de un ser humano en cualquier momento del embarazo o durante el parto. Quien intencionalmente cause un aborto será castigado:

- 1) Con tres (3) a seis (6) años de reclusión si la mujer lo hubiese consentido;
- 2) Con seis (6) a ocho (8) años de reclusión si el agente obra sin el consentimiento de la madre y sin emplear violencia o intimidación; y,
- 3) Con ocho (8) a diez (10) años de reclusión si el agente emplea violencia, intimidación o engaño.

Artículo 127. Se impondrán las penas señaladas en el Artículo anterior y la de multa de quince mil (L. 15,000.00) a treinta mil Lempiras (L. 30,000.00) al médico que, abusando de su profesión, causa o coopera en el aborto.

Las mismas sanciones se aplicarán a los practicantes de medicina, paramédicos, enfermeros, parteros o comadronas que cometan o participen en la comisión del aborto.

Artículo 128. La mujer que produzca su aborto o consienta que otra persona se lo cause, será sancionada con reclusión de tres (3) a seis (6) años.

Artículo 132. Quien por actos de violencia ocasiona el aborto sin el propósito de causarlo, constándole el estado de embarazo de la ofendida, será sancionado con reclusión de cuatro (4) a seis (6) años.